

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Confirmation No.: 2833

Toshimasa KUMAKI, *et al.*

Group Art Unit: 1793

Application No.: 10/587,656

Examiner: Jessee Randall ROE

Filed: July 28, 2006

Attorney Dkt. No.: 065341.00011

For: FE BASE ALLOY HAVING LAYER AND METHOD FOR PRODUCTION THEREOF

**REQUEST FOR REFUND**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 8, 2009

Sir:

Applicants petition the Commissioner to issue a refund for erroneously charging Counsel's Deposit Account No. 50-2222 in the amount of One Hundred and Eighty Dollars (\$180.00).

An Information Disclosure Statement was filed on September 24, 2009, with the following enclosures: 1) PTO-SB-08 Form, 2) European Search Report dated July 22, 2009, 3) Japanese Office Action dated August 11, 2009, and 4) four references.

However, Counsel's Deposit Account No. 50-2222 was charged \$180.00 on November 12, 2009, indicating the reference code 1806, which corresponds to "Information Disclosure Statement". Upon review of our records, there was no fee necessary for the Information Disclosure Statement filed on September 24, 2009. The Information Disclosure Statement was filed after the filing of a Request for Continued Examination (RCE) (as filed on August 21, 2009), and not more than three months from the date of the European Search Report

and Japanese Office Action.

Please see the attached copies of the Information Disclosure Statement, PTO-SB-08 Form, European Search Report dated July 22, 2009, and Japanese Office Action dated August 11, 2009, as filed on September 24, 2009, a copy of the stamped postcard receipt, and a copy of Counsel's U.S. Patent & Trademark Office Monthly Statement of Deposit Account for your reference. All of these items are highlighted for your convenience.

It is, therefore, respectfully requested that the Office issue a refund to Counsel's Deposit Account No. 50-2222, in the amount of \$180.00.

Respectfully submitted,

/Brad Y. Chin/  
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Enclosures: Copy of Counsel's Deposit Account Monthly Statement  
Copy of Information Disclosure Statement as filed September 24, 2009  
Copy of PTO-SB-08 Form as filed September 24, 2009  
Copy of European Search Report dated July 22, 2009  
Copy of Japanese Office Action dated August 11, 2009  
Copy of stamped postcard receipt